

REMARKS

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested. Claims 1-42 are currently pending in the application and stand rejected under 35 U.S.C. §103 as being unpatentable over Ron Weiss in view of Wesinger, as set forth on pages 2-9 of the Office Action. In view of the claims as presently amended, applicants respectfully traverse this rejection.

The independent claims have been amended to recite that categories are selected from among the *categories mapped to the entries returned by the first query*. This has the effect that the categories displayed to the user will always contains some of the entries returned by the first query. One practical consequence of this is that the selection by the user of one of the displayed categories for refining the first query will always return a result. The independent claims have been further amended to define refinement of the first query. They recite that the refining is carried out in response of the selection by the user of one of the displayed categories or keywords, and that the first query returns a subset of the entries returned by the first query.

The Examiner's rejection under 35 U.S.C. §103 is based on Weiss as the primary reference. In that regard, Weiss does not disclose, teach or suggest use of categories. The Examiner states that Weiss teaches *at least part of said entries being mapped to a set of categories* (see bottom of page 2 of the action). Applicants respectfully disagree with this statement. What Weiss teaches is the clustering of documents, NOT mapping of categories--these are very different approaches, and to one skilled in the art, clustering is fundamentally different from mapping. Indeed, clustering is carried out using a complex algorithm. There is no simple description of the contents of a cluster, so there is no simple and efficient way to restrict a query using a cluster. This means that a cluster is not a tool

usable in a query. Rather, the cluster is solely defined at a given time by the set of entries comprised in the cluster. The fact that one entry belongs to a given cluster (and possibly also to other clusters) is not a feature of the entry, but is rather a result of the clustering algorithm.

In sharp contrast, in applicants' claimed invention, mapping the entries to a predefined set of categories makes it possible to restrict a query to one of the categories. The fact that an element is mapped to an entry is a feature of the entry. This feature is not disclosed, taught or suggested in Weiss.

The Examiner further states that the secondary reference to Wesinger teaches the process of *starting a second query refining the first query*. Applicants also respectfully disagree with this statement. Wesinger teaches two different types of searches. A first type is a category search in which there is no refinement of any kind. The categories are displayed and the user can merely select sub-categories (Wesinger, col. 5 lines 44-47). A second type is a multi-criterion search using the page depicted in Fig. 2K of Wesinger. In this type of search the user enters the relevant search criteria in any of the fields and the system returns the result. This is a query *per se*, and does not represent the refining of a first query. Applicants submit that like Weiss, Wesinger does not disclose, teach, or suggest applicants' claimed step of refining a first query.

Additionally, there is no teaching or motivation in either Weiss or Wesinger to combine any of the features contained in those disclosures to provide applicants' claimed invention. Even if Wesinger could somehow be construed to teach a refining step, which it does not, a person skilled in the art could not apply any type of refining feature to Weiss to arrive at applicants' claimed invention. As discussed above, Weiss does not use categories onto which the entries are mapped, but rather uses a clustering of entries. There is no simple definition of a cluster, other than the set of

entries forming the cluster. In other words, a cluster C_i is simply and solely defined by the set of its entries $E_{i,j}$, that is: $C_i = \{E_{i,j}, 1 \leq j \leq n\}$

Thus, if a first query is to be refined using category C_i , the system may only resolve the query as follows:

$$FirstQuery AND C_i = FirstQuery AND \{E_{i,j}, 1 \leq j \leq n\}$$

which is not practical to compute in a reasonable amount of time for a cluster comprising a high number of terms (e.g., values of n over several thousands of entries).

Applicants submit that there is no teaching or suggestion to combine the features of Weiss and Wesinger to produce applicants' claimed invention. In considering whether providing the claimed features would have been obvious to one skilled in the art at the time of applicants' invention, the claimed invention must be considered as a whole. The question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness to one of ordinary skill in the art, of making applicants' claimed invention. Lindemann Maschinenfabrik GmbH v. American Hoist and Derrick, 730 F.2d 1452, 1462 (Fed. Cir. 1984). In the present case, none of the references, taken either individually or in combination, suggest applicants' claimed invention. In fact, combining the features of the reference devices would not produce applicants' claimed invention nor would such a combination produce a functional device. Additionally, applicants find no inferences or suggestions in either reference that one of ordinary skill in the art could draw from to provide the motivation to provide applicants' claimed invention.

Further, applicants' claimed invention always provides a result. The invention as claimed has an additional advantage, which is not disclosed, taught or suggested in either Wesinger or Weiss. Indeed, the categories and keywords displayed to the user are categories mapped to the entries

returned by the first query and keywords selected according to the entries returned by the first query. Thus, if one of the categories and keywords is selected for refining the search, the second query refining the first query will always return a result. This would most likely not be the case if a similar type of refinement were applied to Weiss or Wesinger.

Accordingly, applicants submit that the independent claims are allowable over the cited references and that claims depending therefrom, respectively, are allowable as depending from allowable base claims, respectively.

The art made of record by the Examiner but not relied upon as a basis of rejection, does not, whether taken alone or in combination with Weiss and Wesinger, anticipate or render obvious any of applicants' claims as now amended in the application.

For the foregoing reasons, applicants submit that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.


The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or

even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit
Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

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